



Austin City Council MINUTES

AUGUST 15, 1991 - 1:00 P.M.

MEETING CALLED TO ORDER - 1:00 P.M.

Mayor Todd called to order the meeting of the Council, noting the presence of all members.

1. Approval of Minutes for Regular Meeting of August 8, 1991 and Special Meeting of August 7, 1991

Approved with the deletion of one word, on Councilmember Epstein's motion, Councilmember Garcia's second, 6-0 Vote, Mayor Pro Tem Urdy out of the room.

1:00 P.M. - CITIZEN COMMUNICATIONS

2. Ms. Mariann Jones discussed airport issues.
3. Mr. James Nash discussed drug testing regulation/public hearing.
4. Mr. Dave Dobbs discussed the upcoming City budget.
5. Mr. Jon Carlson discussed Bergstrom and to ask Elden Aldridge what he thinks of previous Council members.
6. Mr. Charlie Waits discussed City Council matters.
7. Mr. John Corry updated the public and Council on Barton Creek Task Force meeting of August 8, 1991.
8. Mr. Leonard Lyons discussed communication to and from Council.

ITEMS CONTINUED FROM PREVIOUS MEETINGS

9. Approved an Ordinance amending Ordinance No. 900913-D by appropriating \$34,070 from the General Fund Contingency Reserve to

the Health and Human Services Department Social Services Contingency Fund to fund youth and family support services. (Councilmembers Bob Larson and Gus Garcia) (Related to Item 10)

10. Approved an amendment with the contract with South Austin Youth Services for youth and family support services, in an amount not to exceed \$34,070. (Councilmembers Bob Larson and Gus Garcia) (Related to Item 9)

#9-10 on Councilmember Larson's motion, Councilmember Garcia's second, 7-0 Vote.

ORDINANCES

11. Approved second/third readings of an Ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as rear of 2506-2512 South Congress, 2501 & 2413 Euclid Avenue and 139 West Oltorf Street, Tract 1: from MF-3 & SF-3 to GR-CO; H.E.B. INVESTMENT & RETIREMENT, by Bury & Pittman. First Reading on August 1, 1991; Vote 7-0. Conditions met as follows: Conditional Overlay incorporates conditions imposed by Council.

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

12. Approve third reading of the Urban Watersheds Ordinance amending Chapter 13-7, Article I (Water Quality) of the Austin City Code of 1981 by providing regulations for development in Urban Watersheds; establishing a formula for payment in lieu of structural stormwater controls (13-7-19.1) and setting an effective date.

POSTPONED - On Councilmember Larson's motion, Councilmember Reynolds' second, 4-3 Vote, Councilmembers Garcia and Nofziger and Mayor Todd voted No.

RESOLUTIONS

13. Approved negotiation and execution of a twelve (12) month contract with QUALIPHARM, INC., Austin, Texas, for the management of private pharmacy services to the Medical Assistance program, in an estimated amount not to exceed \$1,405,000, including the option to extend the contract for two (2) twelve (12) month periods, in an amount not to exceed \$1,405,000 per option, for a total amount not to exceed \$4,215,000. (Funding in the amount of \$244,833 included in the 1990-91 Operating Budget of the Health and Human Services Department; \$1,160,167 will be included in the proposed 1991-92

Operating Budget of the Health and Human Services Department.
[Approximately \$80,833 is to be reimbursed by Travis County for 1990-91 and \$4040,167 will be reimbursed by Travis Council in 1991-92.] [Related to Item 14]

14. Authorized negotiation and execution of an Interlocal Agreement with Travis County to provide contracted pharmacy services and medical supplies to eligible County Rural Medical Assistance Program (MAP) clients through September 30, 1992, with the option to extend the agreement for up to four (4) twelve (12) month periods. (No fiscal impact - Travis County will reimburse the City for the cost of pharmacy services and medical supplies to Rural MAP County clients.) [Related to Item 13]
 15. Approved execution of a twelve (12) month contract for the purchase of miscellaneous lamps for use by all City departments, with SUMMERS ELECTRIC, Austin, Texas, in an amount not to exceed \$43,595, and with WESTINGHOUSE ELECTRIC SUPPLY, Austin, Texas, in an amount not to exceed \$107,656, for a total amount not to exceed \$151,251, with the option to extend each contract for up to one (1) additional twelve (12) month period, in an amount not to exceed \$43,595 for the Summers Electric option and \$107,656 for the Westinghouse Electric supply option, for a total amount not to exceed \$302,502. (Funding in the amount of \$37,812 included in the 1990-91 Operating Budget of the General Services Department, and \$113,439 will be included in the 1991-92 Operating Budget of the General Services Department). Low bids of nine (9). OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities.
 16. Approved execution of a contract with AUSTIN WHITE LIME COMPANY, Austin, Texas, for the purchase of 15,918 tons of quicklime, in an amount not to exceed \$841,743.84. (Funding included in the 1990-91 and 1991-92 Operating Budgets of the Water and Wastewater Department). Low bid of three (3). OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference No. 910676-1R0.
- #13-16 on Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.
17. Approved negotiation and execution of a contract with COMMERCIAL VIDEO, Austin, Texas, for camera and video equipment for Channel 6, in an amount not to exceed \$68,070. (Funding included in the 1990-91 Operating Budget of the Public Information Office.) Low bid of three (3). OX M/WBE Subcontractor participation. The prime did

not identify any subcontracting opportunities. Reference No. 910452-3JR.

On Councilmember Larson's motion, Councilmember Garcia's second, 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Nofziger out of the room.

18. Approved entering into a two (2) year Interlocal Agreement with the Lower Colorado River Authority (LCRA), for laboratory analyses services for the Barton Creek Watershed Study, Town Lake Clean Lakes Study, Emergency Spill Response, and related programs, in an amount not to exceed \$80,000, including the option to extend the agreement for one (1) additional twelve (12) month period in the amount of \$38,000, for a total amount not to exceed \$118,000. (Funding in the amount of \$21,000 for this year's purchase is included in the 1990-91 Operating Budget of the Environmental and Conservation Services Department.)

On Councilmember Nofziger's motion, Councilmember Garcia's second, 5-0 Vote, Councilmembers Epstein and Larson out of the room.

19. Authorized application for and acceptance of a grant from the Texas Department of Health (TDH) for fluoridation system renovations to the city of Austin's water treatment plants, in the amount of \$14,580. (City's share amounts to \$25,420 - funding included in the 1990-91 C.I.P. Budget).

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

3:00 P.M. - ELECTRIC UTILITY (Items 20-32)

20. Electric Utility Commission Report.

No report.

21. Resource Management Commission Report.

No report.

22. Monthly Management Report (Fiscal, Operations, Fuel)

Report given by John Moore, Director, Electric Utility.

23. Monthly Utility Receivable Report

Assistant City Manager Byron Marshall gave the report.

24. Approved execution of a contract with ALAMO TRANSFORMER, San Antonio, Texas, for the sale of miscellaneous substation equipment in the total amount of \$40,700. (\$40,700 will be deposited in C.I.P. No. 317-117--2030.) Highest bid offer of two (2). OX M/WBE Subcontractor Participation. The prime did not identify any subcontracting opportunities. Reference File No. 910329-3JD.

On Councilmember Nofziger's motion, Councilmember Garcia's second, 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Larson out of the room.

25. Approved execution of a contract with NUS TRAINING CORP., Houston, Texas, for Systems Training Programs for Electric Utility personnel in the areas of power plant, general mechanical, and transmission and distribution training, in an amount not to exceed \$232,710. (Funding included in Electric Utility Operations & Maintenance Budget Fund Nos. 501-110-3318-5800-7486 \$67,220; 501-110-2211-5000-7454 \$91,925; 501-110-3604-9210-7486 \$73,565). Sole Source. 0% M/WBE Subcontractor Participation. The prime did not identify any subcontracting opportunities. Reference File No. 1100007386.

On Councilmember Garcia's motion, Councilmember Reynolds' second, 4-0 Vote, Mayor Pro Tem Urdy, Councilmembers Larson and Epstein out of the room.

26. Approved execution of a contract with MAGNETEK OHIO TRANSFORMER CORP., Houston, TX, for the remanufacture of the Austrop Substation Autotransformer, in an amount not exceed \$2,402,352. (Funding included in Electric Utility CIP Budget Fund Nos. 317-117-1904-2804-5560-3537). Low bid of two (2) bids. 0% M/WBE Subcontractor Participation. The prime identified one area of subcontracting, there were no M/WBE's available. Reference File No. 910612-3JD.
27. Approved execution of a contract with GENERAL ELECTRIC POWER GENERATION CO., Houston, Texas, for the purchase of repair and replacement parts for the Holly Power Plant Unit No. 4 steam turbine in an amount not to exceed \$226,477.87. (Funding included in 1990-91 Operations & Maintenance Budget Nos. 501-110-1153-5136-7142-2253.) Sole source. 0% M/WBE Subcontractor Participation. The prime did not identify any subcontracting opportunities. Reference RX No. 1100011801.
28. Approved execution of a contract with IMO INDUSTRIES - DELTEX DIVISION, Houston, Texas, for repair and modifications to the spare rotating element of the Holly Power Plant No. 3 main boiler feed pump, in an amount not exceed \$102,500. (Funding included in Electric Utility Operations & Maintenance Budget Fund Nos. 501-110-2253-5136-6392). Sole source. 0% M/WBE Subcontractor Participation. The prime did not identify any subcontracting opportunities. Reference File No. 1100007425.
29. Approved execution of a contract with ROBERT JENTSCH CONSTRUCTION,

CO., Austin, Texas, for construction of the Angus Valley Electric Substation in the estimated total amount of \$406,978. (Funding included in Electric Utility CIP Budget Fund Nos. 315-117-1370-2804-5560-3627). Low bid of three (3). The prime contractor has identified 5.75% MBE, 1.75% WBE Subcontractor Participation. Reference File No. 910771-2SA.

30. Approved execution of a contract with PUFFER-SWIEVEN, INC., Stafford, TX, for the purchase of spare parts for a boiler control system at Holly Power Plant in an amount not to exceed \$56,917. (Funding included in Electric Utility Operations & Maintenance Budget Fund Nos. 554-114-5490-7730). Sole Source. OX M/WBE Subcontractor participation. The prime did not identify any subcontracting opportunities. Reference File No. 1140007423-ML.
31. Approved execution of a contract amendment with AUSTIN CRUSHED STONE, Austin, Texas, to increase the funding level of an original contract amount for a supply of flexible base to be used by the Electric Utility Department to repair substation foundations and slabs, and repair of city streets upon completion of utility work, in an amount not to exceed \$50,000 or 14.32%. This amendment will increase the original contract amount of \$349,028 to a total contract amount not to exceed \$399,028. (Funding included in Electric Utility Department C.I.P. Budget No. 317-117-2107-7119). Reference Contract No. CA-4

#26-31 on Councilmember Nofziger's motion, Councilmember Garcia's second, 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Larson out of the room.

32. Approve execution of a contract amendment with WESTON, INC., Houston, TX, for disposal of contaminated soil, in an amount not to exceed \$47,000. This amendment will increase the original contract amount of \$129,000 to a total estimated amount not to exceed \$176,000 for a 36.43% increase. (Funding included in Electric Utility C.I.P. Budget Fund No. 317-117-1964.) Reference File No. 1170007362-RB.

Pulled off agenda.

3:30 P.M. - MEETING OF THE AUSTIN HOUSING FINANCE CORPORATION

Council recessed its regularly scheduled Council meeting from 4:20 to 4:30 P.M. to hold the meeting of the Austin Housing Finance Corporation.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

ZONING DISTRICTS

33. C14-91-0055 - AMERICAN CANCER SOCIETY, by Ginny's Printing and Copying, 4701-B Burnet Road, from L0 to CS.

ORDINANCE - On Councilmember Garcia's motion, Councilmember Reynolds' second, 5-0 Vote, Mayor Pro Tem Urdy, Councilmember Nofziger out of the room.

ITEMS FROM COUNCIL

34. Approved a Resolution offering tax abatement as an incentive to encourage Tadpole Technology Inc., to locate new manufacturing facilities in northeast Austin. (80% tax abatement on new improvements for a seven year period.) [Mayor Bruce Todd]

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Epstein out of the room.

35. Set a public hearing to approve an ordinance creating City of Austin Reinvestment Zone No. 7 for Lots 1 & 2, Block "A", of Harris Branch Re-plat of the Park of Commerce Section 1, a subdivision in Travis County, Texas, according to the map or plat, as recorded in Volume 89, Page 177-178 of the Plat Records of Travis County, Texas (American Airlines Direct Marketing Corporation). Date and time: August 29, 1991 at 3:30 p.m. [Mayor Pro Tem Charles Urdy]

On Councilmember Garcia's motion, Mayor Pro Tem Urdy's second, 7-0 Vote.

36. Discussion of proposed Rules of Order for Open Government at Council meetings. (Councilmembers Ronney Reynolds and Gus Garcia)

Council appointed a Subcommittee with Councilmembers Reynolds and Nofziger as Co-chairmen and Mayor Pro Tem Urdy as a member. This it was referred to the Subcommittee and will be brought back to Council on September 19, 1991. On Mayor Todd's motion, (he relinquished Chair to Mayor Pro Tem Urdy) and Councilmember Garcia's second, 6-0 Vote, Councilmember Larson absent....He left the meeting for the day at 6:30 P.M.

37. Authorized negotiation and execution of two agreements for services [project, design and management, and maintenance and operation] with the Circle C Development Joint Venture for the Veloway Project. (Councilmember Ronney Reynolds)

On Councilmember Reynolds' motion, Mayor Pro Tem Urdy's second, 6-0 Vote, Councilmember Larson absent.

EXECUTIVE SESSION (No Public Discussion on These Items)

Mayor Todd announced that Council would go into Executive Session pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated, to discuss matters of land acquisition, litigation, and for personnel matters. No final action, decision, or vote by the City Council will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

38. Pending/Contemplated Litigation - Section 2, Paragraph e

(a) Discuss settlement of a claim against the City of Austin filed by Isaias Sarmiento; Claim No. 91040379.

(b) Discussion of Drury Southwest, Inc., v. City of Austin and City of Austin Water and Wastewater Utility; Cause No. 438,928.

(c) Discussion of Charles E. Morrison, et al v. The City of Austin; Cause No. 91-0807

39. Pending/Contemplated Litigation - Section 2, Paragraph e (continued)

(d) Discussion regarding disposal of contaminated soil from an Electric Utility Substation.

40. Personnel Matters - Section 2, Paragraph g

Performance Review of City Clerk.

ACTION ON THE FOLLOWING

41. Authorized settlement of a claim against the City of Austin filed by Isaias Sarmiento; Claim No. 91040379, in the amount of \$40,000.00.

On Councilmember Reynolds' motion, Councilmember Nofziger's second, 5-0 Vote, Councilmember Epstein out of the room, Councilmember Larson absent.

42. Authorized settlement of Drury Southwest Inc. v. City of Austin and City of Austin Water and Wastewater Utility; Cause No. 438,928, in the amount of \$115,000.00

On Mayor Pro Tem Urdy's motion, Councilmember Reynolds' second, 5-0

Vote, Councilmember Epstein out of the room, Councilmember Larson absent.

SPEAKERS AT END OF MEETING

Pam Thompson, Lori Renteria, Robert Singleton

ADJOURN - The meeting was adjourned at 10:00 P.M.

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